

### **REMARKS**

This amendment is responsive to the Office Action dated May 26, 2005. Applicant has amended claims 1-6. Claims 1-6 remain pending.

### **Claim Rejection Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by <http://web.archive.org/web/20011018140152/http://www.kem.ae.poznan.pl/Boods/Excel-Solver/T1/T1.html> (University of British Columbia's MBA program online tutorial for the Solver, "A Tutorial on Spreadsheet Optimization") (hereinafter, "Tutorial"). Applicant respectfully traverses this rejection, particularly to the extent that the rejection is considered applicable to the claims as amended.

As an initial matter, Applicant notes that section 102(e) is not proper authority for the rejection of Applicant's claims based on the Tutorial. Section 102(e) refers only to description of the invention in patents or patent applications. The Tutorial is neither a patent, nor a patent application. Accordingly, the rejection of claims 1-6 under section 102(e) based on the Tutorial is improper.

Moreover, the Tutorial fails to disclose each and every limitation of the claims as amended, as required by section 102(e), and provides no teaching that would suggest modification to arrive at the claimed invention.

Claim 1 has been amended to clarify that the data (in the form of the sub-cube) are derived from a planning data repository using a Calculation Engine, and that the manipulation of data is also carried out using the Calculation Engine.

Claims 3 and 4 have been amended to add changes corresponding to those of claim 1.

Claims 2, 5 and 6 have been amended to align references to claim elements made necessary by the changes to claim 1.

The amendments to the claims are fully supported by the application as originally filed. In particular, support for the changes to claims 1, 3 and 4 can be found at paragraph [0015] that describes the background of the invention as lying in the more complex realm of multidimensional databases, and more particularly in the area of planning data repositories (a type of data warehouse) and includes a brief description of the general functions of a calculation

engine in this context. The necessary use of this calculation engine is further referred to in paragraphs [0045], [0046], [0048], [0049], [0050], [0063] and [0065], each of which relates how various functions are carried out. No new matter has been introduced by way of the amendments.

Applicant respectfully requests the Examiner to enter the amendments.

The rejections are respectfully traversed for reasons as set out below. Claim 1, as currently amended, is directed to a method for the calculation and back-solving of complex relationships in a sub-cube of a planning data repositories system. Claims 3 and 4 are system and computer program product claims, which correspond to claim 1.

The system/method of the present invention uses a Calculation Engine, ("CE," described briefly in the background of the present application and itself the subject of a separate application) to derive data within the sub-cube from a planning data repository – (see paragraph [0053] "...the data (in the cells) in the table are actually stored in the Planning Data Repository.") The system as described in the Tutorial on the other hand, has no such dependency on a separate source of data, but rather the data is contained wholly within a spreadsheet (see Page 1--the Microsoft Excel Spreadsheet... and Page 13 .. where entry of inventory data by the user is described), and is subject to alteration by the user in collaboration with the solver. Thus the use of a CE, as pointed out in the introduction and claimed in the claims ("said planning data repository system residing separately from the Calculation Engine;"), differentiates the present invention from systems that act on data that is contained wholly within a "spreadsheet" (or equivalent) having no outside constraints or sources of data (other than inputs from the immediate user).

Regarding the dependent claims 2, 5 and 6, the examiners rejections with respect to their related independent claim 1 having been dealt with above, the additional disclosures in the Tutorial and US-2002/0099692 (Shah) are moot.

We have reviewed the prior art of record and not relied upon, and consider that it is not relevant to the present application as amended.

The Tutorial fails to disclose each and every limitation of amended claims 1-6, as required by section 102(e). Hence it is respectfully submitted that claims 1-6, as amended, are new and patentable in view of the cited references.

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In view of the above amendments and remarks and having dealt with all the objections raised by the Examiner, reconsideration and allowance of the application is courteously requested.

### CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

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